

CODY LEE WALTON,)
)
 Plaintiff,)
)
 v.) No. 2:15-CV-36-NAB
)
 RYSZARD BILINSKI, et al.,)
)
 Defendants.)

This matter is before the Court on review of the complaint [Doc. #1] pursuant to 28 U.S.C. § 1915A. Having carefully reviewed the file, the Court finds that the complaint survives review under 28 U.S.C. § 1915(e)(2)(B) and should not be dismissed. Therefore, the Court will order that defendants Ryszard Bilinski and Macon County, Missouri, reply to plaintiff's claims once the complaint has been properly served. *See* 42 U.S.C. § 1997e(g)(2).

¹Because over two months have passed since the filing of plaintiff's complaint, plaintiff may request additional time to serve defendants, if needed. *See* Fed. R. Civ. P. 4(m).

advised that he may seek guidance on serving defendants from the Office of the Clerk, if needed.

In accordance with the foregoing,

IT IS HEREBY ORDERED that, pursuant to this Court's differentiated case management system, this case is assigned to Track 5B (prisoner actions-standard).

IT IS FURTHER ORDERED that plaintiff shall include a copy of this order when either serving the complaint upon defendants or requesting that defendants waive service.

IT IS FURTHER ORDERED that, after either being properly served with a copy of the complaint or filing a waiver of service, defendants shall reply to the complaint within the time provided by the applicable provisions of Rule 12(a) of the Federal Rules of Civil Procedure. *See* 42 U.S.C. § 1997e(g)(2).

Dated this 20th day of July, 2015.

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE